

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

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<b>In the Matter of</b>	)
	)
<b>CERTAIN INTEGRATED CIRCUITS,</b>	)
<b>PROCESSES FOR MAKING SAME,</b>	)
<b>AND PRODUCTS CONTAINING SAME</b>	)
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**Inv. No. 337-TA-450**

**LIMITED EXCLUSION ORDER**

The Commission has determined that there is a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the unlawful importation and sale by respondents Silicon Integrated Systems Corp. of Taiwan and Silicon Integrated Systems Corporation of the United States (together, "respondents") of integrated circuits, and certain products containing same, made by a process covered by claim 13 of U.S. Letters Patent 6,117,345.

Having reviewed the record in this investigation, including the recommended determination of the presiding administrative law judge and the written submissions of the parties, the Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined that the appropriate form of relief is a limited exclusion order prohibiting the unlicensed entry of integrated circuits, including chipsets and graphics chips, that are made by a process covered by claim 13 of U.S. Letters Patent 6,117,345 and manufactured by or on behalf of respondents, and motherboards that contain such infringing integrated circuits.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude issuance of the limited exclusion order, and that the bond during the Presidential review period shall be in the amount of 100 percent of the entered value of integrated circuits, including chipsets and graphics chips, subject to the Commission's order, and 39 percent of the entered value of motherboards containing such integrated circuits.

Accordingly, the Commission hereby **ORDERS THAT:**

1. Integrated circuits, including chipsets and graphics chips, that are made by a process covered by claim 13 of U.S. Letters Patent 6,117,345 and are manufactured abroad and/or imported by or on behalf of respondents or any of their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns, and motherboards containing same, are excluded from entry for consumption into the United States, entry for consumption

from a foreign trade zone, or withdrawal from a warehouse for consumption, for the remaining term of the patent, except under license of the patent owner or as provided by law.

2. Integrated circuits, including-chipsets and graphics chips, that are excluded by paragraph 1 of this Order are entitled to entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, under bond in the amount of 100 percent of entered value pursuant to subsection G) of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337(j), from the day after this Order is received by the President until such time as the President notifies the Commission that he approves or disapproves this action but, in any event, not later than sixty (60) days after the date of receipt of this action.

3. Motherboards that are excluded by paragraph 1 of this Order are entitled to entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, under bond in the amount of 39 percent of entered value pursuant to subsection (j) of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337(j), from the day after this Order is received by the President until such time as the President notifies the Commission that he approves or disapproves this action but, in any event, not later than sixty (60) days after the date of receipt of this action.

4. Pursuant to procedures to be specified by U.S. Customs Service, as the Customs Service deems necessary, persons seeking to import integrated circuits, including chipsets and graphics chips, or motherboards containing same, that are potentially subject to this Order shall certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, the Customs Service may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.

5. In accordance with 19 U.S.C. § 1337(1), the provisions of this Order shall not apply to integrated circuits and motherboards containing same that are imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.

6. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.76.

7. The Secretary shall serve copies of this Order upon each party of record in this investigation and upon the Department of Health and Human Services, the Department of Justice, the Federal Trade Commission, and the U.S. Customs Service.

8. Notice of this Order shall be published in the *Federal Register*.

By Order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: October 7, 2002